

Examiner-Initiated Interview Summary	Application No.	Applicant(s)	
	09/281,717	BAXTER ET AL.	
	Examiner	Art Unit	
	Marjorie A. Moran	1631	

All Participants:

(1) Marjorie A. Moran.

(2) Richard Bone.

Date of Interview: 4 December 2003

Type of Interview:

☒ Telephonic

☐ Video Conference

☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

Exhibit Shown or Demonstrated: ☐ Yes ☐ No

If Yes, provide a brief description: _____

Part I.

Rejection(s) discussed:

All pending

Claims discussed:

1-16, 30-33, 44-50

Prior art documents discussed:

SCANLAN et al.

Part II.

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:

See Continuation Sheet

Part III.

☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.

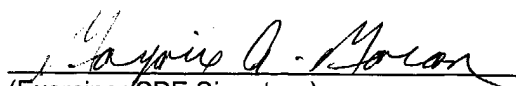
☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.

Status of Application: _____

(3) _____.

(4) _____.

Time: _____



(Examiner/SPE Signature)

(Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: The examiner stated that the after-final amendment of 10/16/03 would not be entered as the amendment contains new matter which would be a new issue under 35 USC 112. Specifically, a compound which interacts with less than all the amino acids of claim 2, or which reacts with the specific amino acids recited in other claims, is not supported by the original specification. The examiner and Mr. Bone disagreed on whether a disclosure on page 14 of the specification provided support for the interaction with "one or more" amino acids of a set recited in the proposed amendment. Page 10 appears to provide support for interaction with the set of amino acids recited in claim 2 and page 14 appears to provide support for interaction with the set of amino acids recited in claim 6. Possible language was discussed which would provide the "interaction language"; however, the examiner declined to make a specific suggestion for a claim limitation. The examiner informed Mr. Bone that the proposed amendment to the specification does not appear to contain new matter and would overcome the objections set forth in the final office action. Further, the proposed amendment to the claims would overcome the rejections of record made under 35 USC 112. The statement made of record on page 14 of the reply filed 10/16/03 that the SCANLAN patent and the instant application were commonly owned at the time of filing would overcome the prior art rejections of record. The examiner reminded Mr. Bone that claim 1 was examined in previous office actions as it read on the elected receptor and that SCANLAN was applied as it was the best prior art. The examiner stated that in the absence of limitations for a specific atomic structural model and/or SEQ ID NO, prior art with regard to nuclear receptors, in general, may apply to claim 1. Mr. Bone pointed out that claim 1 is specifically directed to identifying a compound which binds to a COACTIVATOR BINDING site, which he believes is free of the prior art.